

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-2330

YORDANOS GHIRMAZION,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A78-612-251)

Submitted: March 31, 2004

Decided: April 14, 2004

Before WILKINSON, WILLIAMS, and MICHAEL, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Aragaw Mehari, Washington, D.C., for Petitioner. Peter D. Keisler, Assistant Attorney General, Emily Radford, Assistant Director, David T. Shapiro, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Yordanos Ghirmazion, a native of Ethiopia and a citizen of Eritrea, seeks review of a decision of the Board of Immigration Appeals ("Board") affirming without opinion the immigration judge's denial of her application for asylum, withholding from removal and withholding under the Convention Against Torture. We have reviewed the administrative record and the immigration judge's decision, designated by the Board as the final agency determination, and find that substantial evidence supports the immigration judge's conclusion that Ghirmazion failed to establish the past persecution or well-founded fear of future persecution necessary to establish eligibility for asylum. See 8 C.F.R. § 1208.13(a) (2003) (stating that the burden of proof is on the alien to establish eligibility for asylum); INS v. Elias-Zacarias, 502 U.S. 478, 483 (1992) (same). We will reverse the Board only if the evidence "'was so compelling that no reasonable fact finder could fail to find the requisite fear of persecution.'" Rusu v. INS, 296 F.3d 316, 325 n.14 (4th Cir. 2002) (quoting Elias-Zacarias, 502 U.S. at 483-84). We find the evidence does not compel a different conclusion.*

We deny Ghirmazion's petition for review. We dispense with oral argument because the facts and legal contentions are

*Ghirmazion does not challenge the immigration judge's denial of her applications for withholding from removal or withholding under the Convention Against Torture.

adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED